

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ADRIAN A. GARCIA-MARIN,

Defendant.

4:22CR3059

ORDER

Defendant moved to continue Defendant's change of plea hearing, (Filing No. 29), because he needs additional time to complete the plea paperwork. The motion is unopposed. This case is over a year old and needs to be resolved. So, the court will set both a plea hearing and a trial date, with the trial to be held if the defendant chooses not to plead guilty.

IT IS ORDERED:

- 1) If the defendant chooses to plead guilty, the plea hearing will be held before the undersigned magistrate judge in Courtroom 2, Lincoln Federal Building on July 19, 2023 at 10:30 a.m. Defendant is ordered to appear at this hearing.
- 2) The trial of this case is set to commence before John M. Gerrard, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on August 14, 2023, or as soon thereafter as the case may be called, for a duration of four (4) trial days. Jury selection will be held at commencement of trial.
- 3) Expert witness disclosures as required under Rule 16 must be served on or before August 4, 2023.
- 4) The time between July 5, 2023 and August 14, 2023, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act because the parties require additional time to adequately prepare the case for trial, taking into

consideration due diligence of counsel, the novelty and complexity of the case, and the fact that the failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B). Failing to timely object to this order as provided under the court's local rules will be deemed a waiver of any right to later claim the time should not have been excluded under the Speedy Trial Act.

Dated this 5th day of July, 2023.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge